

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 20, 1979  
6:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman,  
Mayor Pro Tem Himmelblau, Councilmembers Mullen,  
Snell, Trevino

Absent: None

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed for Executive Session at 6:15 p.m. and resumed their recessed meeting at 6:30 p.m.

## TEXAS HISTORIC COMMISSION AWARD

Texas Historical Commission members George Christian, Betty Danklefs and Sybil Dickinson presented to Mayor McClellan the Texas Award for Historic Preservation. Mr. Christian, in making the presentation, stated that Austin has led the way in Texas for encouraging restoration and adaptive reuse of historic buildings and homes. Mayor McClellan expressed her thanks and appreciation from the City of Austin.

## HISTORIC MEDALLIONS

PHILIP CREER, Historic Landmark Commission, presented the newly created Austin historic medallions to Councilmembers. These medallions will be placed on houses and buildings in Austin, which have been labeled "Historic." The Mayor and Councilmembers thanked Mr. Creer.

## PERUVIAN VISITOR

Mayor McClellan introduced Dr. Suzanne Solvez, who had with her in the Council Chamber Dr. Eduardo Gomez DeLaTorres, who is an architect and sociologist whose career involves urban and regional planning in Peru. He is Director of Peru's Planning Office for Lima and is in Austin as a guest of the University of Texas' Latin American Studies.

## HERO OF THE MONTH AWARD

Mayor McClellan announced that the CPR Hero of the Month is Teri Carlson. Ms. Carlson administered CPR methods to Mr. Robinson who collapsed at a dance on December 7th. Mrs. Robinson was in the Council Chamber, as well as the EMS team who answered the call for assistance, Randy Green and Jim McMichael. Trooper Krouch, who also assisted, was also in the Council Chamber. Mayor McClellan presented the award to Ms. Carlson, as well as a "Be a Hero" T-shirt to her and to Trooper Krouch.

## PARK LAND DONATED TO CITY

A resolution, signed by all Councilmembers, recognizing the donation of two tracts of land totaling 60.761 acres to the City of Austin for parks given to them by the Lost Creek Company was presented to Edward R. Rathgeber, Jr., and Nelson Puett, Jr. Mayor McClellan, after reading the resolution, noted that Mr. Puett was unable to be in the Council Chamber. Mr. Rathgeber expressed his thanks and appreciation for the resolution and said he hoped more developers would investigate the tax advantage of donating land to the City. Mr. Leonard Ehrler, Director of Parks and Recreation, stated that this is a precedent setting gesture on the part of a developer and pointed out this kind of gift can be used as a match whereby the City can receive funds and buy more park land.

## WALLY SAMPSON MADE HONORARY CITIZEN

Mr. Wally Sampson, Hollywood production manager, was presented with a Certificate of Honorary Citizenship by the Mayor. He has been in Austin most recently for the filming of "Honeysuckle Rose." Mr. Sampson thanked the Mayor and Council for the Certificate and expressed his appreciation.

## BOARDS AND COMMISSIONS

Mayor McClellan announced that on January 3, 1980, the Council will make the following appointments:

- Employees' Retirement System - 1
- On-Going Goals Assembly Committee - 2
- Manpower Advisory Planning Council - 11
- MHMR Board/Hospital Board - 3
- Electric Utility Commission - 3
- Human Relations Commission - 7
- Electric Board - 3
- Library Commission - 8
- Medical Assistance Advisory Board - 1
- Board of Adjustment - 5
- Construction Advisory Committee - 4
- EMS Quality Assurance Team - 4
- Heating, Air Conditioning, Refrigeration Board - 2
- Commission on Status of Women - 1
- Citizen Traffic Safety Commission - 4
- Urban Transportation Commission - 1
- Vending Commission - 1
- Police Pension Board

## RELEASE OF EASEMENT

Councilmember Trevino moved that the Council adopt a resolution to authorize release of the following Easement:

A ten (10.00) foot Sanitary Sewer Easement located on Lot 13A, a resubdivision of Lots 13 and 14, Block 1 Westridge Addition, 1621 West 10th Street. (Requested by Arthur Villela for the Water and Wastewater Department.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

## PAYMENT AUTHORIZED

Councilmember Trevino moved that the Council adopt a resolution to authorize payment to the following:

GULF OIL COMPANY

- CAPITAL IMPROVEMENTS PROGRAM  
The cost difference for installation  
of 12"/8" water main in Schuch  
Addition - \$6,074.33  
C.I.P. No. 75/22-07

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem  
Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

## DRAINAGE RELIEF PROJECT

Councilmember Trevino moved that the Council adopt a resolution to enter into a contract with the Texas Education Foundation, Inc. (Gary Job Corps, San Marcos, Texas) to construct a drainage relief project in Boggy Creek. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

INTERRUPTIBLE OFF-PEAK ECONOMY ENERGY  
AGREEMENT

Councilmember Trevino moved that the Council adopt a resolution to authorize a one-year extension of the existing Interruptible Off-Peak Economy Energy Agreement initially approved December, 1977, with the Texas Power and Light Company. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

CONTRACTS APPROVED

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

GENERAL ELECTRIC SUPPLY COMPANY 7521 North Lamar Austin, Texas	- Bare Copper Wire for use at Holman, Lytton Springs and Pilot Knob Substations, Electric Utility Department. Items 1 and 2 - \$16,896.10
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

PRIESTER-MELL & NICHOLSON, INC. 601 East 56th Street Austin, Texas	- Lapp Insulators, for use on Austrop line maintenance, Electric Utility Department. Items 1 and 2 - \$12,000.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

REXNORD INSTRUMENT PRODUCTS, INC. 30 Great Valley Parkway Malvern, Pennsylvania	- Dissolved Oxygen Analyzers with Flow Cell Assemblies, Electric Utility Department. Items 1 and 2, 3 ea. - \$6,135.00
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The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

MINUTES OF THE CITY COUNCIL  
CITY OF AUSTIN, TEXAS  
Special Called Council Meeting

December 12, 1979  
4:00 P.M.

First Floor Conference Room  
Municipal Building  
124 West 8th Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Himmelblau, Councilmembers  
Cooke, Goodman, Mullen, Snell, Trevino

Absent: None

Mayor McClellan opened the meeting scheduled for 4:00 P.M., stating that this was a Special Called Meeting of the City Council for the purpose of publicly announcing that it will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session any final action, decision or vote with regard to any matter considered in the closed or executive session would be made in open session, should such action, decision or vote be necessary.

Mayor McClellan announced that the Council would go into executive session at this time to consider the items authorized in Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated.

APPROVED

*Carole Teeter McClellan*  
Mayor

ATTEST:

*Grace Monroe*  
City Clerk

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

DATA DOCUMENTS  
4265 Gate Crest  
San Antonio, Texas

- Continuous Stock Paper, Data Systems  
Items 1-3; \$17,934.99

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Maintenance Equipment, Vehicle  
Equipment Services.

KINCO, INC.  
6702 Willardville Road  
Houston, Texas

- Item Sheet ME-1; 7 ea. @ \$4,753  
Total \$33,271.00

CENTRAL TEXAS EQUIPMENT  
127 East Riverside Drive  
Austin, Texas

- Item Sheet ME-2; 5 ea. @ \$22,401.10  
Total \$112,005.50

THOMPSON PRODUCTS, INC.  
604 Hayden Station Road  
Windsor, Connecticut

- Item Sheet ME-3; 3 ea. @ \$4,035.00  
Total \$12,105.00

COOPER EQUIPMENT COMPANY  
8723 Broadway  
San Antonio, Texas

- Item Sheet ME-4; 2 ea. @ \$7,471.00  
Total \$14,942.00

DITCH WITCH OF CENTRAL TEXAS  
1545 Highway 81 East  
New Braunfels, Texas

- Item Sheet ME-7; 1 ea. - \$23,000.00

RIVER CITY MACHINERY  
10411 North Lamar  
Austin, Texas

- Item Sheet ME-8; 1 ea. - \$9,333.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

COURTESY DODGE, INC.  
7309 North IH 35  
Austin, Texas

- Heavy Duty Trucks, Vehicle and Equipment Services Department

<u>Bid Item Sheet</u>	<u>Quantity</u>
HT-1, Item 1	3 ea.
HT-1, Item 2	6 ea.
HT-1, Item 4	4 ea.
HT-1, Item 5	1 ea.
Total	\$96,533.00

LONGHORN INTERNATIONAL EQUIPMENT  
4711 East 7th Street  
Austin, Texas

<u>Bid Item Sheet</u>	<u>Quantity</u>
HT-2, Item 1	1 ea.
HT-2, Item 2	1 ea.
HT-2, Item 3	4 ea.
HT-3, Item 1	2 ea.
HT-3, Item 2	1 ea.
HT-4, Item 1	3 ea.
HT-5, Item 2	1 ea.
HT-7, Item 1	2 ea.
Total	\$177,486.46

HENDRIX GMS, INC.  
4400 South IH 35  
Austin, Texas

<u>Bid Item Sheet</u>	<u>Quantity</u>
HT-1, Item 3	1 ea.
HT-4, Item 2	2 ea.
HT-6, Item 1	3 ea.
HT-10	1 ea.
Total	\$112,404.00

LEIF JOHNSON FORD, TRUCK CITY  
502 East Ben White  
Austin, Texas

<u>Bid Item Sheet</u>	<u>Quantity</u>
HT-4, Item 3	4 ea.
HT-5, Item 1	1 ea.
HT-1, Item 1	15 ea.
HT-9, Item 1	2 ea.
Total	\$562,565.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to approve the following contract:

SWITCH WILLO WOODS WHOLESAL  
NURSERY  
2700 West Anderson Lane  
Austin, Texas

- Asiatic Jasmine 4" pots, Parks and Recreation Department.  
Item 1; 14,000 ea. @ \$ 0.48  
Total \$6,720.00

The motion, seconded by Councilmember Goodman, carried by the following vote:



Councilmember Trevino moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Athletic Equipment, Parks and Recreation Department  
Twelve (12) Month Supply Agreement

ROOSTER ANDREWS  
3901 Guadalupe  
Austin, Texas

- Items 1-5, 9, 10, 15, 16, 20, 21, 23, 28, 29, 33, 35, 36, 38, 39, 42, 43, 45, 49, 57, 61-63, 65, 70, 74, 75, 83, 84, 102-104, 119, 123, 125, 126, 129-131, 134, 138, 142, 143, 153, 154, 156, and 158-160 - \$23,630.05.

SELECT SERVICE & SUPPLY COMPANY  
2905 East Amwiler Road  
Atlanta, Georgia

- Items 6-8, 11, 14, 17-19, 22, 24-27, 30-32, 34, 37, 41, 44, 46-48, 50-56, 58-60, 64, 76, 77, 82, 85, 86, 88, 89, 93, 96, 97, 100, 101, 105-118, 124, 133, 136, 137, 140, 144-146, 152 and 157 - \$21,265.85.

TEXAS STRINGING  
4201 Brookview  
Austin, Texas

- Items 68, 79, 80 and 90 - \$6,753.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

ITEM PULLED FROM AGENDA

Councilmember Trevino moved that the Council pull from the agenda an item to consider authorizing execution of an agreement with Austin Mall Company to provide for channelization of traffic flow in the vicinity of Barton Creek Square Mall. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

## UMTA GRANT

Councilmember Trevino moved that the Council adopt a resolution authorizing acceptance of UMTA (Urban Mass Transportation Administration) grant TX-05-0052, as revised and as reflected in the 1979-84 Capital Improvements Program budget. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

## HUMAN SERVICE CONTRACTS

Councilmember Trevino moved that the Council adopt a resolution to enter into FY 1979-80 Human Services purchase of service contracts:

Big Brothers/Big Sisters	\$32,034.00
Extend-A-Care	17,703.00
Youth Advocacy	7,000.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

## LOVACA SETTLEMENT PLAN

Councilmember Trevino moved that the Council adopt a resolution to join other LoVaca customers in executing a release of Texas Utilities Fuel Company from liabilities in respect to matters alleged in Pennzoil Pipeline Company v. LoVaca Gathering Company, et al consistent with the provisions of the LoVaca Settlement Plan. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

## WATER SUPPLY POINT

Councilmember Trevino moved that the Council adopt a resolution to amend the agreement with Water District No. 10 to provide an additional water supply point near the intersects of Loop 360 and West Lake High Drive. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

## PUBLIC HEARINGS SET

Councilmember Trevino moved that the Council adopt a resolution to set a public hearing for January 10, 1980 at 10:45 a.m. to consider annexing the following:

84.90 acres of land (52.90 acres requested by owner and known as Silverstone Phase I Sections 1 and 2 and 32.0 acres initiated by the City.) C7a-79-017.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council adopt a resolution to set a public hearing for January 10, 1980 at 10:45 a.m. to consider annexing the following:

57.77 acres of land requested by the owner and known as Cat Mountain North Section I Subdivision and Far West Boulevard Street Dedication. C7a-79-019.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council set a public hearing on January 3, 1980, at 6:00 p.m. on an appeal from Jean Mather, representing South River City Citizens Neighborhood Association, of the decision of the City of Austin Planning Commission granting a special permit to Sundowners Club, Permit No. C14-79-062. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

Councilmember Trevino moved that the Council set a public hearing at 6:30 p.m., January 3, 1980, and a work session at 4:00 p.m., January 2, 1980 (work session to be in the first floor conference room, City Hall) on development controls for land within the Barton Creek Watershed. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Council also asked the Planning Commission to have a work session.

#### BARTON CREEK GREENBELT

Councilmember Trevino moved that the Council adopt a resolution to authorize the execution of a one-year lease/option agreement for various tracts of land for the Barton Creek Greenbelt. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

#### LAND PURCHASE

Councilmember Trevino moved that the Council adopt a resolution to authorize purchase of land at South Congress and North Bluff Drive. CAPITAL IMPROVEMENTS PROGRAM. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

#### LOVACA SETTLEMENT PLAN

Councilmember Trevino moved that the Council adopt a resolution to join with other LoVaca customers in executing a lignite option agreement with Valero Energy Corporation and Valero Lignite Corporation consistent with provisions of the LoVaca Settlement Plan. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

## POLICE COURTS COMPLEX

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 21 OF THE AUSTIN CITY CODE OF 1967 BY ADDING THE TERM "POLICE AND COURTS COMPLEX" TO SECTION 21-1 THEREOF; AMENDING SECTION 21-31 TO REGULATE THE STOPPING, STANDING AND PARKING OF MOTOR VEHICLES UPON THE POLICE AND COURTS COMPLEX, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO MARK PARKING STALLS UPON SPECIFIED AREAS OF THE POLICE AND COURTS COMPLEX FOR THE EXCLUSIVE USE OF PARTICULAR PERSONS AND VEHICLES, AND TO DESIGNATE THE LOCATION OF TOW-AWAY ZONES UPON THE POLICE AND COURTS COMPLEX IN AREAS WHERE PARKING IS NOT PERMITTED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

## BUDGET AMENDMENTS

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed, accepting a grant from the Office of Traffic Safety in the amount of \$1,173.12 for attending the Traffic Accident Reconstruction Course. (May 5, 1980 through May 16, 1980)

791226-B  
- H. 3.10

Mayor McClellan introduced the following ordinance:

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chambers when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed, accepting a grant from the Office of Traffic Safety in the amount of \$1,473.00 for attending the Traffic Accident Reconstruction Course. (February 25, 1980 through March 7, 1980)

#### ORDINANCE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 771110-E, ENACTED BY THE CITY COUNCIL ON NOVEMBER 10, 1977, BY CORRECTING THE USE DESIGNATION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chambers when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

## 100% TAX ASSESSMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE REPEALING THE PRESENT SECTION 32-2 OF THE AUSTIN CITY CODE OF 1967; ESTABLISHING A NEW SECTION 32-2 OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR ASSESSMENT OF ALL TAXABLE PROPERTY ON THE BASIS OF 100 PERCENT OF ITS APPRAISED VALUE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

## SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (d) AND (g) OF SECTION 21-41 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Trevino, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Speed zones were amended as follows:

ADDING - Subsection (d)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Circle S Road	South Curb line of North Bluff Drive	635 feet south of North Bluff Drive
Eberhart Lane	West curb line of Congress Avenue	564 feet west of Congress Avenue

DELETING - Sub-section (g)

Congress Avenue	418 feet north of North Bluff Drive (Sta 300 + 95.7)	367 feet south of North Bluff Drive (Sta 308 + 90.7)
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ADDING - Sub-section (g)

Congress Avenue	418 feet north of North Bluff Drive (Sta 300 + 95.7)	375 feet south of the center line of Eberhart Lane (Sta 312 + 0.0)
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AMBULANCE TRANSFER FRANCHISE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING TO GOLD CROSS AMBULANCE, A FRANCHISE FOR FIVE YEARS TO OPERATE AND MAINTAIN A NON-EMERGENCY AMBULANCE TRANSFER SERVICE UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF AUSTIN, TEXAS, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF AUSTIN, AND ARTICLE V OF CHAPTER 34 OF THE AUSTIN CITY CODE; AND PROVIDING AN EFFECTIVE DATE AS PROVIDED IN ARTICLE XI, SECTION 3 OF THE AUSTIN CITY CHARTER.

The ordinance was read the second time, and Mayor Pro Tem Himmelblau moved that it be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmember Mullen, Mayor McClellan

Noes: Councilmember Trevino

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been passed through second reading only.



## MECHANICAL INSPECTOR QUALIFICATIONS

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1967 BY ADDING THERETO SECTION 39-310, PROVIDING MECHANICAL INSPECTION QUALIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the second time, and Mayor Pro Tem Himmelblau moved that it be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmember Mullen, Mayor McClellan

Noes: Councilmembers Goodman, Trevino

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been passed through its second reading only.

## ZONING ORDINANCES

The Zoning Ordinances were voted upon in the consent motion with Mayor Pro Tem Himmelblau making the motion and Councilmember Goodman seconding the motion. The motion only got 3 votes so the motion did not pass. Later in the meeting Councilmember Mullen moved that the Council reconsider. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 7-13, BEN WHITE COMMERCIAL SUBDIVISION AND A 7.15 ACRE TRACT OF LAND, LOCALLY KNOWN AS 813-1017 BANISTER LANE AND 816-1024 WEST BEN WHITE BOULEVARD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Odas Jung, C14-79-081)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmember Cooke  
Noes: None  
Abstain: Councilmember Goodman  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 4, HODGES INDUSTRIAL PARK AND LOT 1 AND 2 HURRICANE STREET, LOCALLY KNOWN AS 10417 AND 10431 F. M. 1325, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Hurricane Industries, C14-73-253 [Part])

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 12.45 ACRE TRACT OF LAND, LOCALLY KNOWN AS 10301 AND 10303 BURNET ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mr. and Mrs. Helge, C14-73-253 [Part])

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None  
Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.069 ACRE TRACT OF LAND, LOCALLY KNOWN AS 11005 F. M. 1325 (SUITE 116 & 118), FROM "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS AND DECLARING AN EMERGENCY. (LBP 11 Strip Center Joint Venture, C14-79-222)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed as an emergency measure.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 5, 6, 7 AND 8, SAN ANTONIO ROAD ADDITION, SECTION 3, LOCALLY KNOWN AS 6910, 7000, 7002, 7004 CIRCLE S ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (NHS Homes, Inc., C14-79-243)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 22, BLOCK F, BURNET HEIGHTS, LOCALLY KNOWN AS 2008 KOENIG LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Marvin M. Henry, Trustee, C14-78-240)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 24, BUCKINGHAM RIDGE SECTION 6 SUBDIVISION, SAVE AND EXCEPT THE WESTERN 20 FEET OF SAID LOT, WHICH ZONING USE DESIGNATION SHALL HEREAFTER BE "A" RESIDENTIAL, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 6524-6528 SOUTH CONGRESS, FROM "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Buckingham Ridge Developers, C14-79-180)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,  
Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE EAST 200 FEET OF A 2.32 ACRE TRACT OF LAND, LOCALLY KNOWN AS 13804 RESEARCH BOULEVARD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, WILLIAMSON COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (H. E. Butt Grocery Company, C14-79-199)

The ordinance was read the first time, and Mayor Pro Tem Himmelblau moved that it be passed to its second reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor  
McClellan

Noes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau

The Mayor announced that the ordinance had been passed through first reading only.

#### REFURBISHMENT OF AUSTIN/TRAVIS COUNTY COLLECTION

Mayor McClellan introduced an item to Council to discuss the refurbishment of Austin/Travis County Collection. She said there is a group of citizens who are interested in this project. The roof and climate control system of the building needs repairs. The Mayor asked the City Manager to report on January 3, 1980, on any money allocated but unexpended in the General Revenue Sharing Funds. It is estimated the repairs to the old library will cost about \$50,000.00.

Ms. Sue McBee appeared before Council and said she would like to form a guild and find funds for the collection. She said they are not asking for money from the Council, but are asking for Council's blessing. Ms. McBee then introduced several members of the Chamber audience who will be in the guild. Dick and Sarah Rathgeber will be co-chairmen. Other members will be Marilla Wood, Fred Sackett, Willie Kocurek, Sally Shipman, Anita Bynum, Marty Albright, Bob Coffee, Ina Ray Smith and Martha Hartzog.

Councilmember Cooke moved that the Council instruct the City Manager to report on January 3, 1980, concerning funds for roof repair and climate control. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

Mayor McClellan said she thought the name of the building should be the Austin History Center.

## RIVER BOAT ON TOWN LAKE

Mr. Leonard Ehrler, Director of Parks and Recreation, reported on the change in command recommended on the operation of the riverboat "Lake McQueeney" on Town Lake. Captain Snodgrass has purchased the boat from Captain Bagley and wants to maintain the same contract with the City for operation of the boat that Captain Bagley has had.

Councilmember Mullen moved that the Council approve the transfer of the contract for the operation of riverboat "Lake McQueeney" on Town Lake from Captain Bagley to Captain Snodgrass. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Cooke, Goodman, Mayor Pro Tem  
Himmelblau, Councilmember Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember  
Trevino, Mayor McClellan

## ANNEXATION PUBLIC HEARING

Mayor McClellan opened the public hearing scheduled for 7:00 p.m. to consider annexation of and directing the administration to institute annexation proceedings. Mr. Lillie said the land is all adjacent to the City limits with positive fiscal notes and all have been recommended by the Planning Commission. He also noted that subdivision plats have been filed on all five areas. No one else appeared to be heard.

Motion

Councilmember Cooke moved that the Council close the public hearing and direct the administration to institute annexation proceedings to annex the following:

- (a) 17.22 acres of land (15.25 acres requested by owner and known as Barrington Oaks and 1.97 acres initiated by the City) C7a-79-007
- (b) 134.42 acres of land requested by owner, located immediately north of Kramer Lane and Braker Lane. C7a-79-013
- (c) 61.03 acres of land requested by owner and known as Oak Forest Section 5A. C7a-69-014
- (d) 19.05 acres of land (16.68 acres requested by owner and known as Dorsett Oaks and 2.37 acres initiated by the City) C7a-79-015
- (e) 42.66 acres of land (35.13 acres known as Woodstone Section VI and 7.53 acres initiated by the City) C7a-79-016

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Himmelblau,  
Councilmembers Mullen, Snell

Noes: None

Abstain: Councilmembers Goodman, Trevino

## ZONING HEARING

Mayor McClellan opened the zoning hearing scheduled for 7:00 P.M. Pursuant to published notice thereof, the following zoning case was publicly heard:

ROBBIE GIBSON  
C14-79-246

5409 Bennett

From "A" Residence  
1st Height and Area  
To "GR" General Retail  
1st Height and Area  
NOT Recommended by the  
Planning Commission

Mr. Lillie reviewed the application by use of slides. Mr. Kieth Kissner, speaking for the applicant, stated Mrs. Gibson makes custom draperies in her home. The neighbors are not opposed to Mrs. Gibson's business but are opposed to the change in zoning. Mr. Kissner wondered if this could go back to the Planning Commission, if "GR" General Retail is not granted, in order to study the availability of "O" Office. Mr. Lonnie Davis, Director of Building Inspection, said a seamstress is allowed in "O" Office, but drapery making is not being a seamstress. He said Mr. Kissner and his client can appeal the interpretation of the Board of Adjustment.

KATHLEEN AMIDON presented a petition signed by neighbors protesting the zoning change.

BETTY CHEESY appeared and said she is not opposed to Mrs. Gibson or her employees but does object to "GR" General Retail because it is a residential area.

BONNIE AMIDON, who lives at 908 East 55-1/2 Street, said she is opposed because of what the zoning change might do to the neighborhood. They do not want spot zoning and asked for a denial of the request.

Mr. Kissner returned to reiterate his previous remarks and to point out that if Mrs. Gibson moved her business the overhead would be so great it would take all the profit from her.

Councilmember Goodman moved that the Council uphold the recommendation of the Planning Commission and DENY the zoning request. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro  
Tem Himmelblau, Councilmembers Mullen, Snell, Trevino  
Noes: None

The Mayor announced that the zoning case had been DENIED.

## PUBLIC HEARING - URBAN RENEWAL AMENDMENT

Mayor McClellan opened the public hearing scheduled for 8:00 P.M. to amend Glen Oaks Urban Renewal Plan to allow for zoning change to "C-1" District at 2334 Rosewood Avenue. A request had been received from Adrian Overstreet representing Odas Jung and C. B. Carpenter, to allow withdrawal. Mr. Lillie reviewed the case.

Mayor Pro Tem Himmelblau moved that the Council close the public hearing and uphold not allowing an amendment to the Urban Renewal Plan. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Mayor McClellan

Noes: Councilmember Trevino

Not in Council Chamber when roll was called: Councilmember Goodman

## DEED AMENDMENT

Councilmember Mullen moved that the Council adopt a resolution to execute an amendment to a deed from the City of Austin to Ralph Moreland, Inc. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

## INSURANCE RENEWAL

Council had before it a resolution to renew a three-year contract for group health, accident and life insurance coverage for City of Austin employees with Connecticut General Life Insurance Company. Councilmember Mullen asked, "On the Connecticut General proposal I have your letter here that says on the \$63,000 deficit, and after reading your letter do not understand why that wasn't included in the bid to begin with and why we had a bid and then \$63,000 deficit that reduced their bid instead of just coming in with one figure to start with."

MR. TODD BLACK, representative of Connecticut General stated, "Our objective in setting rates for group insurance contracts is to have a break even point and have no rate increase and no margins available. Back when the specifications were released to the interested insurance companies, which was May 4, we had a substantial margin available under the contract which eventually was \$1,000,000. In assessing the present plan level of benefits to the proposed level of benefits we felt the reduction in rates would have a rate structure that would attempt to break even under the new contract. The actuaries do this and then when they entered the rate structure on the bid form it came up to be \$63,000.00 short on a \$3,750,000.00 bid. Rather than going back and re-doing it they left it that way. Any time we are in a deficit you can terminate us and you don't have to write the check. You wouldn't owe us that money on termination. ...The \$63,000 was added to."



Mayor McClellan asked, "If the City could get a better deal or if it would be of more benefit to the City of Austin to cancel this contract in a year's period of time, do we have a clause in the contract we're working on right now where we could have a review in a year from now and cancel it if it would be in the interest of the City of Austin to do so. Not that they aren't performing, but that we could do something better elsewhere."

Mr. Jimmie Flakes, Director of Personnel, stated, "According to our contract right now, if Connecticut General fails to perform to the satisfaction of the City, we can cancel at any time we'd like in a 90-day period. We have written that same kind of specification into the new contract and if the Council wouldlike to make an addition or a specification that says something to meet your wording, we can do that."

Mr. Flakes, Mr. Davidson, and Mr. Black all agreed that under terms of the contract, the City would have the right to cancel the contract at any time. Mayor McClellan stated she just wanted that on the record. Councilmember Snell asked what it would do about the waiting period for the employees if that would occur during time of cancellation. Mr. Davidson answered, "That is something we would have to work out. This company would be agreeable to continue until such time as we could advertise." Mr. Black said that is correct. After more discussion, and comments also by Bill Harrison, retired City employee, the following motion was made:

Councilmember Goodman moved that the Council accept the staff recommendation and adopt a resolution to approve the following contract:

CONNECTICUT GENERAL LIFE INSURANCE COMPANY 3333 Eastside, Suite 230 Houston, Texas	- Group Health, Accident and Life Insurance coverage for City of Austin employees Three (3) year contract Estimated \$3,648,348.00 first year experience rated premiums.
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The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,  
Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

#### PARADE PERMIT

Councilmember Trevino moved that the Council approve the request for a Parade Permit from MAJOR ALBERT C. LLOYD, JR., for Boy Scouts of America - Capitol Area Council, from 10:00 A.M. to 11:00 A.M., Saturday, February 9, 1980, beginning from 3rd and Congress Avenue to 11th and Congress dispersing in the Capitol grounds. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau  
Noes: None

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 3rd day of October, 1979, Wednesday, at 4:30 p.m. in the First Floor Conference Room, Municipal Building, 124 West Eighth Street, Austin, Texas for the following purpose:

Publicly announce that during the meeting the Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated.

ATTEST:

Grace Monahan  
City Clerk

Charles Keeton McCallister  
Mayor  
City of Austin, Texas

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and the place therein named, and for the purpose therein stated.

Betty Himmelstein  
Jim Muller  
Bill Cooke

ATTEST:

Grace Monahan  
City Clerk

John Weir  
Jimmy Sells

## TRENCH BURNERS

MR. LARRY M. DEUSER, Vice-President, Austin Neighborhoods Council, appeared before Council to discuss trench burners in the city. He said they should be banned either by declaring them a nuisance or by amending the ordinance. He asked that a public hearing be set to establish that trench burners are a menace to Austin.

Mayor McClellan asked for a report on recommendations and advice from the Environmental and Legal Departments. Councilmember Goodman agreed that trench burners should be banned and said the Legal Department is working on two ordinances which would ban the burners. He surmised that by January 17, 1980, a request will be made to set a public hearing.

## DISCUSSION OF RENT INCREASE

Ms. Jennifer Burgess, Austin Tenants Council, appeared before Council to discuss rent increases. She said there have been rent increases in Swede Hill following the recent zoning controversy. Increases amount to 20%. She said the houses should be put under Section 8 for rehabilitation and asked Council to reaffirm their position on the residential area in Swede Hill.

Mrs. Turner, 1000 East 16th Street, said her rent has been increased to \$125.00. She can't afford it, and the house is in dire need of repair. Councilmember Snell said he would be glad to work with her.

Mayor McClellan pointed out the Council has no control over rents. The Mayor said the point would be researched but the State may have pre-empted any City action.

Councilmember Cooke pointed out that a letter from an appraiser of the property said the rent increases are in concert with other increases in property values. Councilmember Trevino stated he is committed to keeping the area residential.

MRS. KATIE MAE HOUSTON also appeared concerning rent increases. She said her rent has been increased from \$65.00 to \$125.00 and she cannot afford it. The house also is in bad repair. She surmised this is being done because the change in zoning to allow for a hotel was denied.

Councilmember Trevino thought the Austin Tenants Council should continue working for Section 8 rehabilitation for the houses.

Mayor McClellan requested a report, in writing, from the City Attorney's office telling what can be done about rent increases.

## CITY OFFICIALS DISCUSSED

MR. MARK ANTHONY MARIANI appeared before Council to discuss City officials.

## 1980 CAPITOL 10,000

MS. LAURIE SMITH, Promotion Manager, representing Austin American-Statesman, appeared before Council requesting them to waive the (60) days requirement for approval of a parade permit, to allow approval of a Parade Permit for the 1980 Capitol 10,000 more than (60) sixty days prior to the event, to better plan for the safety of participants.

Councilmember Trevino moved that the Council by unanimous consent, instruct the City Manager to bring back an amendment to the ordinance requiring sixty days for approval of a Parade Permit so that more time may be allotted; amendment to be on January 3, 1980, agenda. The motion, seconded by Councilmember Goodman, carried by unanimous consent.

## RECESS

Council recessed its meeting at 9:24 P.M. and resumed the recessed meeting at 9:34 P.M.

## LIMITATION TO USE OF WOOD SHINGLES

Council had before it for consideration an ordinance amending Chapter 36, Section 1704 of the Uniform Building Code, 1976 edition, to establish restrictions and limitations on the use of wood shingles and/or wood shake roof coverings. (Recommended by Austin Building Code Board of Appeals.) Mr. Lonnie Davis, Director, Building Inspection, presented the following report:

"The Austin Building Code Board of Appeals on November 5, 1979, voted unanimously to recommend to the City Council to adopt a policy that will prohibit the use of wood shingles in Fire Zone 1. Further, it is proposed that Section 1704 of the Uniform Building Code (UBC), 1976 Edition be adopted. A draft of the proposed ordinance is attached.

It was because of the apartment complex fire earlier this year in the City of Houston that the Building Code Board of Appeals determined that they would review the particular section of the Building Code pertaining to the use of wood shingles and study any possible updating of the code.

The proposed ordinance is the result of the Board's action. In essence, this ordinance will:

1. Wood shingles will still be permitted in one and two family dwellings as present.
2. Standard wood shingles and shakes would still be permitted in apartment house construction provided the building was no more than two stories in height, had a roof area no more than 3,000 square feet and the edge of the roof had a ten (10) foot clearance from the property line.

3. Apartments, office buildings, and other structures would be permitted to use wood shingles and shakes if they were applied as a "Special Purpose Roof." The principal requirement for "Special Purpose Roof" is that the shingles would have an underlayment of asbestos felt paper or 1/2" fire-rated gypsum board further conditional that the building be no more than two stories in height, a roof area no more than 6,000 square feet and a clearance of ten (10) feet from the roof edge and property line.
4. No wood shingle roofs shall be permitted in Fire Zone 1."

Chief Kirkham, Austin Fire Department, reported on what happens when wood shingles burn. He concluded by stating every professional firefighter would like to see wood shingles totally eliminated. He said he thought the ordinance before Council was a good one; at least better than the present one. Councilmember Cooke thought the ordinance should be given more consideration. Mr. Davidson, City Manager, expressed a desire to pass the ordinance immediately, and make it tougher later if need be. Mayor McClellan agreed with Mr. Davidson and Councilmember Mullen thought more information was needed about wood shingles.

GREG YAMEN, A+ Roofing and Remodeling, spoke to Council and stated he has the Flamex fire retardent franchise in Austin. This is a treatment for wood shingles. He cited studies concerning the effectiveness of Flamex.

PHIL DUDLEY, Austin Apartment Association, said he is in accord with the ordinance amendment. He thought, however, there should be a grandfather clause for building permits already issued.

KEN ZIMMERMAN, Austin Association of Builders, said that after the Houston apartment fire, the AAB wanted to recommend to Austin a restriction on the use of wood shingles and found out the City was already working on it.

MIKE LEVY spoke of the risky fire spreads when wood shingles burn.

Mayor McClellan suggested Council "adopt what we have before us this evening but that we also have it brought back to us as quickly as possible."

#### Motion

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass an ordinance amending Chapter 36, Section 1704 of the Uniform Building Code, 1976 edition, to establish restrictions and limitations on the use of wood shingles and/or wood shake roof coverings. The motion was seconded by Councilmember Goodman.

Friendly Amendment

Councilmember Goodman offered a friendly amendment that the ordinance come back before Council on January 17, 1980, with stronger provisions to consider including the treated shingles. Councilmember Mullen accepted the friendly amendment.

Councilmember Goodman went on to say the City Manager and staff could compile some additional recommendations for Council to consider.

Councilmember Cooke said, "referring to item 1. in Mr. Davis' memo, 'Wood shingles will still be permitted in one and two-family dwellings at present.' Does that mean town houses, condominiums?" Mr. Davis answered, "No, that would mean one and two-family detached dwellings." Councilmember Cooke said, "Detached wasn't in there. I want it entered into the record just for clarification, Mr. Davis. ...The other thing, does this mean the only alternative for the special purpose roof is the asbestos felt paper? In other words, you are given one condition. We have been talking about treated roofs here tonight, but this only gives one alternative." Mr. Davis said, "A treated shingle, Mr. Cooke, is classified in the Uniform Building Code as a Class C roofing. A special purpose roof has two categories and that is the asbestos felt, and the other approach is the 1/2" type sheet rock. So you are talking about two alternatives, either a Class C, which is a treated roof, or a special purpose roof with the underlay."

Mr. Davis asked if there would be a time limit on beginning the ordinance. Councilmember Cooke thought the ordinance should be strong but did not want it to go into effect so that if someone was putting a shingle roof on an apartment he would have to rip it off and put on this one. Mr. Davidson pointed out that if the Council adopts the ordinance, it would not apply to anyone who has already begun construction. Councilmember Mullen said, "It sounds like there are so few of these going in right now, if there is an exception to this that is already in the mill and the financing done, they can come to Council and get approval or something like that, but I bet there aren't three or four like that." Mr. Davis said there really is not that much shingle construction going on. Councilmember Mullen said the Council might be open to making an exception for the next three months or two months. Mr. Davidson asked, "Does the Board of Building Materials have that kind of authority?" Mr. Davis answered, "If you see fit to write that into the ordinance." Mr. Davidson continued, "That's the kind of thing they consider, Mr. Mullen. You may want to ask them to undertake it." Councilmember Mullen commented, "Fine with me."

Friendly Amendment

Councilmember Cooke offered a friendly amendment to grant exceptions for 60 days after the ordinance passes. Councilmember Mullen accepted it.

Councilmember Mullen said he is not in favor of letting people come in who have not already started. Councilmember Goodman thought it would be better to leave it unstated. That way Council could deal with it on a case by case basis.

Roll Call on Motion with Friendly Amendments

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 36 OF THE AUSTIN CITY CODE OF 1977; AMENDING SECTION 36-1704; PROVIDING FOR THE REGULATION OF THE USE OF WOOD SHINGLES; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance to amend Chapter 36, Section 1704 of the Uniform Building Code, 1976 edition to establish restrictions and limitations on the use of wood shingles and/or wood shake roof coverings; the ordinance to come back before Council on January 17, 1980, with stronger provisions, including the consideration of treated shingles; and to grant exceptions for 60 days after the ordinance passes. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers  
Mullen, Snell

Noes: None

The Mayor announced that the ordinance had been finally passed.

BARTON CREEK MORATORIUM

The Council had before it for consideration an ordinance to consider amending the Barton Creek Moratorium Ordinance to provide that the moratorium on subdivision plat applications shall not apply to plats which are a part of an overall development plan ninety percent (90%) of which is located outside the Barton Creek Watershed and which do not require an allocation to the Barton Creek Lift Station.

JOE RIDDELL spoke in opposition to the amendment. It was his contention that it would be unfair to other builders waiting to find out what will be done as a result of the moratorium.

DAVID ARMBRUST appeared before Council representing Westcreek Section VI. He related that they were scheduled on the September 11, 1979, Planning Commission agenda and their application had been pulled from the agenda when it was realized the moratorium would effect their application. He pointed out theirs is a special situation. They are located on Highway 290, across the road from Barton Creek.

Motion

Councilmember Mullen made a motion, seconded by Councilmember Goodman, to amend the Barton Creek Moratorium Ordinance to provide that the moratorium on subdivision plat applications shall not apply to plats which are a part of an overall development plan 90% of which is located outside the Barton Creek Watershed and which do not require an allocation to the Barton Creek Lift Station.

Friendly Amendment

Councilmember Goodman offered a friendly amendment: "The item before us is a special purpose item intended to give this particular case an exception. The recommendation is to allow these exceptions where 90% of the land is located outside the Barton Creek Watershed. In addition to the percentage figure, I think we should have a total acreage figure of a 12-acre limit." Councilmember Mullen accepted the friendly amendment.

Roll Call on Motion with Friendly Amendment

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790809-U AS AMENDED BY ORDINANCE NO. 791018-H (THE BARTON CREEK SUBDIVISION PLAT MORATORIUM) PROVIDING THAT THE MORATORIUM ON SUBDIVISION PLAT APPLICATION COVERING LAND LOCATED IN THE BARTON CREEK WATERSHED SHALL NOT APPLY TO PLATS WHICH ARE A PART OF AN OVERALL DEVELOPMENT PLAN NINETY PERCENT (90%) OF WHICH IS LOCATED OUTSIDE THE BARTON CREEK WATERSHED AND WHICH DO NOT REQUIRE AN ALLOCATION TO THE BARTON CREEK LIFT STATION; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino

Noes: None

The Mayor announced that the ordinance had been finally passed.

MUD POLICY

Mayor Pro Tem Himmelblau introduced an item to Council requesting the Manager provide an update on the status of the Municipal Utility District (MUD) policy. Mr. Davidson, City Manager, stated it will be ready to be included in the January 10, 1979 agenda.

PROPOSED ELECTRIC RATE STRUCTURE

Mayor McClellan requested, under Items from Council, that a public hearing be set on the proposed electric rate structure. She stated: "Our Citizens Electric Utility Commission is almost through with all of their work on the recommendations on the electric rate structure. My concern is that we're under those interim rates and at least the residential rate payers are going to realize a reduction. It's an 8.2% increase now for the mixed fuel. It's 6.6 that's being recommended and I just don't want a lot of time to pass. All they're working on is some discussion between single-fuel and multiple-fuel rate. I had requested Sam Graham to call a special meeting and not wait until



the 14th which would be their next regular meeting. I hope they can do that the first week in January and I suggest we set a public hearing on January 10 at 7:00 p.m. for electric rates only. ...Mr. City Manager, please look at that time to see how quickly it can be implemented, assuming we act on it promptly. I understand it may take three months. Council it be expedited and move more quickly?"

Councilmember Goodman moved that the Council set a public hearing for January 10, 1979, at 7:00 p.m. on the proposed Electric Rate Structure. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

#### STUDY COORDINATOR FOR ATS COMMITTEE

Councilmember Goodman moved that the Council include in the January 10, 1980, agenda a budget amendment for \$8,000 authorizing the use of Section 112 funds to be used as the City of Austin's share in funding a study coordinator for the Austin Transportation Study Committee and to approve the necessary agreement. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

Councilmember Mullen had made a substitute motion that this be on the January 17 or January 24 agenda. There was no second to the motion. He then expressed his concern over the structure of the Austin Transportation Study (ATS) and thinks the Council needs more votes on ATS.

#### RENT INCREASES

PHIL DUDLEY, Austin Apartemtn Association, appeared before Council to say he wanted to get the following on record concerning rent increases in Austin. He referred back to the Citizens Communications earlier and the Austin Tenants Council remarks. Mr. Dudley stated the average rent payment in 1970 was \$100 as opposed to \$300 today. The average house payment in 1970 was \$205 as opposed to \$425-\$550 today.

#### ADJOURNMENT

Council adjourned its meeting at 11:10 p.m.

December 20, 1979

APPROVED

Carole Katon McEllen  
Mayor

ATTEST:

Grace Monroe  
City Clerk